

IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 192 of 2004 (S/B)

Ghanshyam Agarwal
S/o Sri Ram Mohan Agarwal,
Presently posted as Assistant Engineer,
Uttaranchal Jal Sansthan at Mansi,
District Almora. Petitioner

Versus

1. Mukhya Maha Prabandhak
Uttaranchal Jal Sansthan
“Jal Bhawan” Nehru Colony, Dehradun.
2. Executive Engineer
Uttaranchal Jal Sansthan Ranikhet,
Almora. Respondents

Mr. Arvind Vashisth, Advocate for the petitioner.
Mr. Rakesh Thapliyal, Advocate for the respondent.

JUDGMENT

**Coram: Hon. Cyriac Joseph, C.J.
Hon. P.C. Pant, J.**

CYRIAC JOSEPH, C.J. (Oral)

1. The challenge in the petition is against the Annexure 5 Order transferring the petitioner from Maasi to Chamoli. The main grievance of the petitioner was that at Maasi he was In-charge Assistant Engineer whereas in Chamoli he will be only Junior Engineer. A Junior Engineer holding charge of Assistant Engineer cannot claim immunity from transfer. Even otherwise, according to the counter affidavit filed on behalf of the respondents, the petitioner has already been promoted as Assistant Engineer on 06.12.2004. Hence, the petitioner cannot have any grievance against the transfer now.

2. In the above circumstances, the interim order is vacated. The Writ Petition is dismissed.

**(P.C. Pant, J.)
28.11.2005**

**(Cyriac Joseph, C.J.)
28.11.2005**

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